

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

C. EARL GRANT,

Plaintiff,

vs.

NATIONAL BOARD OF MEDICAL EXAMINERS and
FEDERATION OF STATES MEDICAL BOARD,

Defendants.

**CROSS MOTION
FOR SUMMARY
JUDGMENT**

Civil Action No.
7:07-cv-00996
(TJM-GJD)

PLEASE TAKE NOTICE that, upon National Board of Medical Examiners' and Federation of State Medical Boards' Statement of Undisputed Material Facts Pursuant to Local Rule 7.1(a)(3) of the United States District Court for the Northern District of New York dated December 5, 2008; the Declarations of Gerard F. Dillon dated December 5, 2008, David A. Johnson dated December 5, 2008, and Heidi S. Martinez dated December 5, 2008, together with the Appendix of Exhibits referenced therein; and Memorandum of Law dated December 5, 2008; defendants National Board of Medical Examiners and Federation of State Medical Boards will move this Court, at the Federal Building and United States Courthouse, 15 Henry Street, Binghamton, New York, on January 23, 2009, for an Order, pursuant to Federal Rule of Civil Procedure 56 and Local Rule 7.1(a)(3), for summary judgment dismissing plaintiff's claims in their entirety.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Rule 7.1(c), plaintiff shall have until January 12, 2009, to serve and file any responding papers.

Dated: December 5, 2008

Respectfully submitted,

WARD NORRIS HELLER & REIDY LLP

s/Heidi S. Martinez

Heidi S. Martinez

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